

1 Q Obviously, the day I wanted to talk about  
2 in some detail is July 27th. That was a Thursday, was  
3 it not?

4 A Correct.

5 Q Okay. Was that a Thursday that you  
6 happened to be working --

7 A That was my night to work Teen Court,  
8 correct.

9 Q -- Teen Court?

10 A Uh-huh.

11 Q That was also a time when Judge Holder  
12 was --

13 A Out of town.

14 Q -- on duty?

15 A Right, uh-huh.

16 Q Okay. Well, let's -- let's go to July  
17 27th. On those days what time do you generally arrive  
18 at work?

19 A I start at eight o'clock in the morning.

20 Q All right. Do you generally bring things  
21 with you that you need to store someplace?

22 A Yes, I do, every day.

23 Q Can you tell us, and I don't mean to be  
24 overly personal, but can you tell us the type things  
25 you bring with you and need to store?

1           A       Oh, no. I bring my lunch, and I might  
2 bring some magazines and stuff to read. I usually do  
3 cross-stitch at lunchtime and that type of thing. And  
4 I have like a canvas bag, and I take it and put it in  
5 the judge's break room right over in this area right  
6 behind this chair.

7           Q       You're very quick. You hadn't seen this  
8 before?

9           A       No, I know. But there's the break room.  
10 I'm looking.

11          Q       All right. Does that look like a pretty  
12 accurate representation of the judge's chambers and so  
13 forth?

14          A       Yes, it does.

15          Q       Okay.

16          A       Looks just like it.

17          Q       Is this a daily thing that you bring  
18 something and store it in here?

19          A       Uh-huh, every single day.

20          Q       Are there files cabinets located in here?

21          A       That's correct.

22          Q       But that's not where you store things?

23          A       No.

24          Q       You store them --

25          A       On the floor in the corner.

1 Q Okay. All right.

2 A I have too much stuff. No, I have my  
3 purse, and my bag, and umbrella.

4 Q Who primarily uses that room day-to-day?

5 A Just the judge and I. And if somebody --  
6 if Lori, we have lunch in there, or if I'm not having a  
7 hearing with him, we're like for 10 minutes or so, I'll  
8 sit in there.

9 Q All right. So that morning you bring  
10 your things and you put them in there?

11 A Uh-huh, correct.

12 Q Where do you spend the bulk of your day?

13 A That day I was assigned to Judge Essrig  
14 in juvenile since my judge was out of town. I worked  
15 over there all day.

16 Q Did you have occasion to come back to the  
17 break room during the course of the day --

18 A Uh-huh.

19 Q -- such as noontime?

20 A At lunchtime to get some money or to get  
21 my lunch.

22 Q All right. And once that's accomplished,  
23 it's back to work across the street?

24 A Uh-huh, correct.

25 Q Myra Gomez was serving as the judicial

1 assistant at that point in time?

2 A Yes, she was.

3 Q And she's generally stationed I believe  
4 right here; is that right?

5 A Uh-huh, that's correct.

6 Q And she leaves the office, or did,  
7 routinely at what time, if you know?

8 A Are you talking about lunchtime or --

9 Q No, ma'am, in the after hours.

10 A Normally she's there until 4:30. Unless  
11 she's had something she really does, maybe 4:35,  
12 somewhere around there, 4:40. No later than 4:40.

13 Q Whose responsibility, as a general  
14 proposition, would it be to see that this area is  
15 secured, meaning doors locked, lights off, when she  
16 left? Would she do it, or would you do it, or would  
17 the judge?

18 A Normally the J.A. does it. Like, because  
19 I leave at four o'clock. If I don't have an assignment  
20 or I don't have to work after hours, I'm out at 4:00.  
21 So normally the judge and J.A. will be there.

22 Whoever is -- if Judge Holder is still  
23 working, then he would do it. But if the judge is out  
24 of town, normally the J.A. does it. She'll turn the  
25 lights off and lock the doors, security.

1 Q Okay, great. Thursday, July 27th  
2 somewhere around 5:20.

3 A Uh-huh, that's correct.

4 Q You are taking a break; is that right?

5 A No. I was through with my assignment  
6 over in juvenile with Judge Essrig. I had stayed for  
7 the other bailiff. She had an appointment. So I was  
8 staying there, and then I was coming back to get my  
9 personal things and go over and work Teen Court across  
10 the street --

11 Q Okay.

12 A -- is what I was doing that day.

13 Q Thursday is a long day for you?

14 A Correct, it is very long.

15 Q Do you recall what time it was Thursday  
16 afternoon or Thursday evening when you came back to get  
17 your things?

18 A It was 5:20. I know it was 5:20 because  
19 it was 5:15 when I left over there because I was  
20 worrying because I knew I had to report to my other  
21 job.

22 Q Okay. As a general proposition by 5:15  
23 or 5:20 are things just kind of shut down in the  
24 courthouse at that hour?

25 A Not necessarily. Shut down? It's quiet,

1       yes.   Yes, I would say it is.

2               Q           A lot of the employees have gone?

3               A           Yes, five o'clock the clerks and most  
4       everybody, unless there is a trial going or something  
5       of that nature.

6               Q           Right. There can be exceptions, but  
7       generally unless there is a trial going --

8               A           It's dead.

9               Q           -- it's pretty much after hours?

10              A           Right, it is. It really is.

11              Q           What did you expect to find at 5:20,  
12       Thursday, July 27th when you went back over here?

13              A           Absolutely nothing. My intentions was to  
14       just go in there, I was going to eat an apple, and go  
15       to the judge's restroom, and get my stuff and run  
16       across the street. And I knew nobody would be in there  
17       because I knew my judge was out of town. So I didn't  
18       expect, you know, nothing really, just a normal unlock  
19       the door, go get my things type thing.

20              Q           Did you think, "Gosh, I might run into  
21       the cleaning crew as late as it is"?

22              A           No, because normally the -- I had been in  
23       there before, and I don't -- because when I do  
24       mediations on Tuesday nights I'm usually in the judge's  
25       office. I just hang around in there until about a

1 quarter to 6:00. And I never, ever see a cleaning  
2 crew. And if I do see them, I'd see them out at the  
3 south end of the hallway.

4 Q Are you aware that the cleaning crew  
5 doesn't even clock in until 5:30?

6 A No, I was not aware of that.

7 Q Okay. What you are aware of is when you  
8 see them 5:30 or thereafter, they're at the other end  
9 of the hall?

10 A Yes, they're just starting to come  
11 upstairs or making -- you start to hear them making  
12 noise or coming off the elevator and that type of  
13 thing, and sometimes I don't even see them at a quarter  
14 to 6:00.

15 Q Okay. All right. Let's talk about what  
16 happened when you got to the doorway here that Thursday  
17 evening. Is the door unlocked?

18 A No, the door was locked.

19 Q How do you get in?

20 A I have my own key to -- I have a master  
21 key that opens that door.

22 Q What did you do and what happened?

23 A Well, I first went to the door like I  
24 normally do and I pull it, and the door was locked. So  
25 I got my key out and I unlocked the door. And I'm one

1 of these kind of people that I make a lot of noise  
2 because for some unknown reason I can open the same  
3 lock twenty times and I always go the wrong way instead  
4 of the right way. And I did that as usual. So I  
5 remember that because I did it today. So then I went  
6 inside and I stood at the doorway. And --

7 Q This is so important. I want to make  
8 sure, and I hate to do this to you, I want to make sure  
9 everybody can see what you're talking about.

10 A Do you want me to stand up?

11 Q Yes, ma'am, would you? And maybe off to  
12 the side a little bit.

13 A Okay.

14 Q I'm sorry I don't have a pointer.

15 A That's all right. I went in through the  
16 door and I stood --

17 Q You've got people behind you here.

18 A Oh, I'm sorry. And I stood right, right  
19 here with my back end up against the door. And I  
20 happened to look this way, and this door which is  
21 normally always closed, this door never is open, is  
22 open and the judge's light's on. And I thought that  
23 was really weird.

24 And I noticed over here that this light's  
25 on. Because normally when Myra leaves, she turns off



1 all the lights. And I've gone back there after she's  
2 been there and I just thought, "Oh, this is weird."

3 So I came in through the door and I stood  
4 there. And I stood there just for a few seconds. I  
5 really, I stood there for a while looking because I  
6 just, I had this real uneasy feeling. It wasn't  
7 normal. And it was dark in here and dark in here.

8 Q What is a while or what does a few  
9 seconds mean?

10 A I stood maybe ten seconds if you were to  
11 count it. You know, I mean, I stood there kind of just  
12 looking at things because I had this real uneasy  
13 feeling.

14 Q Because ten seconds is a pretty good  
15 while.

16 A Yeah, I did. I had a really uneasy  
17 feeling.

18 Q Tell you what let's do, let's be quiet.  
19 (Pause in the proceedings.)

20 Q That's ten seconds.

21 A It was longer than that.

22 Q It was longer than that?

23 A It was longer than that.

24 Q All right. That gives them a sense. You  
25 open the door, you enter it, and the door closes?

1           A       No, the door never closed.

2           Q       Okay.

3           A       I had -- I had my back end on the door  
4 with the door partially open because I was -- I was  
5 real -- I had this uneasy feeling and I was not going  
6 to go into the office because the first thing that  
7 really caught my attention, not so much this light  
8 being on here, but this light being on here and this  
9 door open. This light was off and this light was off  
10 also.

11                   So I stood there. In the meantime I was  
12 looking, like if I was standing this way, I was looking  
13 and I saw what I call a shadow.

14           Q       I've got to get you to show us on here.

15           A       Okay. There's a wall right here and the  
16 judge has some plaques and a cross right here. Well, I  
17 saw a shadow in my opinion went -- it looked like it  
18 was moving this way (indicating).

19                   So I called out and in the exact term, I  
20 went, "Hello," just like that. Nothing happened. And  
21 I stood there. Then I went, "Hello," using that same  
22 voice. Well, again nothing happened.

23                   I said, "This is weird." Then all of a  
24 sudden out walks Judge Bonanno. He was holding a  
25 folder, probably something about that size, and I

1 jumped. It just, he startled me. I said, "Oh, Judge  
2 Bonanno." And in that time he says, "Oh, I come down  
3 to talk to the judge," because he thought the judge was  
4 leaving that night. And I told him, "No," I said, "my  
5 judge left last night and he was out of town. He went  
6 out of town."

7 Q He told you he thought the judge was  
8 leaving that night?

9 A Yes.

10 Q So he knew the judge was going away on  
11 military duty?

12 A Yes, he told me he thought the judge was  
13 leaving that night.

14 Q Okay.

15 A That was his exact words. And I told  
16 him, "No," I said, "as a matter of fact, my judge was  
17 supposed to leave on Tuesday." And I said, "He  
18 delayed, he delayed his departure 24 hours because he  
19 had some hearings, so he left Wednesday."

20 But what I forgot to tell you, when I  
21 first walked in here, when I saw this shadow, my first  
22 thought was I thought it was my judge. And I said, I  
23 thought to myself, "No, that's not my judge. My judge  
24 is not here. He's out of town." Because I was getting  
25 all excited. I thought, "Oh, he's back in town."

1 But in the meantime, when I found out it  
2 was Judge Bonanno, when he came out -- when he come  
3 walking over, he said he had to talk to the judge about  
4 several things. He didn't tell me what the several  
5 things were. I have no idea.

6 The man does not talk to me. He's never  
7 talked to me except to say hello to me in the hall. He  
8 came out, he walked over to where I was standing. And  
9 of course I told him, "You startled me," because I  
10 just -- it wasn't that I was scared of him, I was just  
11 startled because it was Judge Bonanno. It was another  
12 judge in there, a judge that never comes to our  
13 chambers, a judge that never comes past the jury  
14 auditorium into our chambers.

15 So then I went -- I said -- well, I told  
16 him that I had worked -- I had just got through working  
17 with Judge Essrig. He said, "Oh, how do you like it  
18 over in juvenile?" And I said -- I was being  
19 facetious, of course, I said, "I don't like it." But I  
20 was just joking. I was making conversation because I  
21 work anywhere. I started out in juvenile, I worked  
22 juvenile for four years.

23 So then I came -- I started to walk over  
24 here. I told him I had to go to work; I was going to  
25 go to work in Teen Court. He was asking me all these

1 questions, just crazy questions just to make  
2 conversation.

3 Well, I thought he was going to leave  
4 because I wanted to eat my apple and go to the  
5 bathroom. No, I couldn't do that.

6 (Laughter.)

7 A I had to walk -- I walked all the way  
8 over here. And he followed me all the way over here  
9 just chattering about -- making just idle conversation.  
10 I got all of my stuff.

11 Q The light was on in here?

12 A The light was on in here.

13 Q Were you surprised that the light was on?

14 A Not so much as this light as I was this  
15 light. Because normally this light usually is off.  
16 But I thought, well, maybe, you know, Myra might have  
17 forgot. But normally Myra's habits are when she was --  
18 is a temporary J.A. for Judge Holder, she normally  
19 turned everything off.

20 I mean, it would be -- because I would go  
21 back there and it was all pitch black. So I went in  
22 there and got my stuff. He followed me back out still  
23 talking up a storm. We exited through these doors  
24 here. I don't remember whether he locked the door or I  
25 locked the door. In the meantime, I wasn't thinking

1 too much then. I just --

2 Q Did it take a key to lock that door?

3 A Yes, it did.

4 Q So one of you used your key?

5 A One of us used the key. And I can't -- I  
6 think that I did it because he was standing over here  
7 and I was standing here, and I had my hands full of my  
8 five million things and I was trying, you know, locking  
9 the door, but I'm not going to say for sure.

10 Q I understand.

11 A So then he started walking off. And he  
12 turned around and he says, "Where are you assigned  
13 tomorrow?" And I said, "I'm off tomorrow." I didn't  
14 go into no details, I didn't tell him that that was my  
15 day off or anything.

16 And that's when I thought, "Why would a  
17 judge ask me where am I assigned tomorrow?" No judge  
18 asks you where you're assigned. The only judge that  
19 asks me where I'm assigned is my own judge. Because if  
20 he doesn't have any trials or anything, he'll ask me,  
21 "Where are you going to work tomorrow?"

22 But any other judge, a judge that doesn't  
23 talk to me, he doesn't even come in our office, he  
24 doesn't even -- he is -- he's a civil judge. We're a  
25 family judge. We don't have no stats. We don't have

1 nothing. We didn't even have any cases that the two  
2 can talk about.

3 Q When is the last time you saw Judge  
4 Bonanno down here visiting?

5 A Let's see. He came in one day to see the  
6 judge. The judge -- we came back to work one Monday,  
7 and all of a sudden Judge Holder has a whole new  
8 computer system. He's the only one getting this new  
9 computer system, which we thought was weird. The judge  
10 didn't request this computer system.

11 And I want to say weeks, months later  
12 here comes Judge Bonanno. He wants to check it out.  
13 So after Judge -- after Judge Bonanno walked out I  
14 said, "Why did he grace his presence?" I was laughing  
15 because I thought it was funny.

16 Q That was the one time he came down or --

17 A That was the second time. When he came  
18 down to check the -- the first time -- no, the first  
19 time was when he came down to check the computer out,  
20 and then he walked out.

21 Q Now, he has something to do with the  
22 computer system of the judges; is that --

23 A No, not to my knowledge.

24 Q He's not in charge of it or anything?

25 A Not to my knowledge.